

REMARKS

Claims 1 and 13 have been amended by adding new limitation for flow resistance value. A new Claim 19 has been added. Support for the amendments to Claims 1 and 13 is presented, for example, in Fig. 6 of the present specification. Support for the new claim is presented for presented, for example, in paragraph [0034] of the present specification. No new matter has been added. Applicant respectfully requests entry of the amendments and reconsideration of the present application in view of the amendments and the remarks set forth below.

Discussion of Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 2, and 10 have been rejected under 35 U.S.C. § 102(b), as being anticipated by Imamura et al. (JP 2003/208183). Applicant respectfully submits that pending claims are allowable over the cited reference, as discussed below. US 2005/0233106, which corresponds to the cited reference, is referred to in this response as the **English language equivalent**.

Discussion of Patentability of Independent Claim 1

As amended herein, Claim 1 recites among other things, “the molded interior trim material installation has a flow resistance value of 1000 to 5000 Nsm^{-3} ”. Imamura teaches air permeability/a flow resistance for Carpet layer 11 to be between 100 Nsm^{-3} and 1000 Nsm^{-3} and for Buffer material 12 to be between 40 Nsm^{-3} and 800 Nsm^{-3} (Abstract), but does not teach the flow resistance for a whole floor laying material. Imamura also teaches a flow resistance value from the top surface of the piece mat 20 to the back surface of the carpet layer to be between 150 Nsm^{-3} and 1800 Nsm^{-3} (Paragraph [0033]), but, again, silent about the flow resistance of the whole floor laying material. Thus, Imamura does not describe “the molded interior trim material installation has a flow resistance value of 1000 to 5000 Nsm^{-3} ” expressly.

In order to constitute an inherent disclosure, “it must be shown, that the missing descriptive matter is necessarily present in things described in the reference.” (MPEP 2131.01III) Since Imamura does not disclose a flow resistance of joining strips 11a, which is an essential component for the floor laying material, the flow resistance of Imamura’s floor laying material is not defined and only possibly might be within the claimed flow resistance. Accordingly, it can not constitute an inherent disclosure either. Therefore, Applicant respectfully submits that Claim

1 is not anticipated by the cited reference, and thus Claim 1 is allowable over the prior art of record.

Discussion of Patentability of Dependent Claims

The rest of the rejected claims depend from Claim 1, and further define additional technical features of the present invention. In view of the patentability of Claim 1, and in further view of the additional technical features, Applicant respectfully submits that the dependent claims are patentable over the prior art.

Discussion of the Claim Rejections Under 35 U.S.C. § 103

Claims 3-6 have been rejected under 35 U.S.C. § 103 as being unpatentable over Imamura et al. (JP 2003/208183). Applicant respectfully submits that Claims 3-6 are allowable over the cited reference, as discussed below.

As set forth above, Imamura does not disclose “the molded interior trim material installation has a flow resistance value of 1000 to 5000 Nsm⁻³” either expressly or inherently. Accordingly, the cited reference fails to teach the specific feature of the subject matter in Claim 1, and will not lead to a prima facie showing of obviousness. Moreover, this instant feature provides an unexpected advantage which further evidence the none-obviousness of the claimed invention. In particular, the recited feature provides a significant and unexpectedly higher noise reduction effect than flow resistance values above and below the recited range. Please see Fig. 6 of Applicant’s specification. Therefore, even if prima facie case of obviousness were established, this unexpected result would rebut any such case.

Claims 3-6 depend from Claim 1 and further define additional technical features of the present invention. In view of the patentability of Claim 1, and in further view of the additional technical features, Applicants respectfully submit that Claims 3-6 are patentable over the prior art.

Discussion of the Claim Rejections Under 35 U.S.C. § 103

Claims 7-9 and 13-18 have been rejected under 35 U.S.C. § 103 as being unpatentable over Imamura et al. (JP 2003/208183) and further in view of Wood (US Publication No.

2005/0233106). Applicant respectfully submits that Claims 7-9 and 13-18 are allowable over the cited references, as discussed below.

As amended herein, Claim 13 recites among other things, "the molded interior trim material installation has a flow resistance value of 1000 to 5000 Nsm⁻³". Wood adds nothing to support "the molded interior trim material installation has a flow resistance value of 1000 to 5000 Nsm⁻³". Thus, the above argument is equally applicable here. Therefore, Claim 13 is patentable over the cited references. The rest of the rejected claims depend from Claim 1 or Claim 13, and further define additional technical features of the present invention. In view of the patentability of Claims 1 and 13, and in further view of the additional technical features, Applicant respectfully submits that the dependent claims are patentable over the prior art. Applicant respectfully requests withdrawal of the rejection.

Discussion of Patentability of New Claim

New Claim 19 depends from Claim 1. In view of the patentability of Claim 1, Applicants respectfully submit the Claim 19 is patentable over the prior art.

CONCLUSION

In the light of the applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure,

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including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

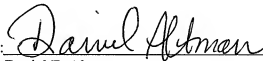
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: April 29, 2010

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